

[statistic] statistical data [relating to] indicative of franking performed by said plurality of
franking machines.

REMARKS

Claims 1-12 are all the claims pending in the application.

I. Drawings:

The Examiner objects to the drawings for the reasons noted on the PTO-948 attached to the Office Action. This objection is incorrect, however, because the PTO-948 indicates that the drawings were approved by the Draftsperson.

The Examiner also indicates that the application was filed with informal drawings. This indication is simply incorrect.

The Examiner requests Applicants to amend the drawings by incorporating labels for each of the depicted elements. As the path of least resistance, Applicants amend the figures as suggested by the Examiner. The specific changes are shown in red manuscript in the attached marked up drawings accompanying this response. Applicants respectfully request the Examiner to acknowledge receipt and indicate approval of the drawing changes in the next Patent Office paper.

Applicants respectfully requests deferment of the filing of formal drawings incorporating the proposed drawing amendments until such time as this application is otherwise placed in a condition for allowance.

II. Specification:

The Examiner objects to the specification because it contains spelling and grammatical errors. Applicants editorially amends the specification to overcome the raised objections. If,

however, the Examiner believes that further amendments are necessary, Applicants look forward to receiving any specific suggestions that the Examiner may care to make.

III. Claim Rejection Under 35 U.S.C. § 112, 2nd Paragraph:

The Examiner rejects claim 1-12 under 35 U.S.C. § 112, 2nd paragraph, because several portions of the claim language are not clear, and because the claims do not conform to US practice. Applicants amend the claims by deleting the objectionable terms pointed out by the Examiner and to place the claims in an American format. The amended claims are believed to more particularly point out and distinctly claim the subject matter regarded as the invention.

IV. Claim Rejections on Prior Art Grounds:

The Examiner rejects claims 1-12 under 35 U.S.C. § 103(a) as being obvious over US 5,991,746 to Wang in view of US 6,038,553 to Hyde, Jr. ("Hyde"); and claims 1-12 under 35 U.S.C. § 103(a) as being obvious over US 5,367,464 to Abumehdi et al. ("Abumehdi") in view of Wang and further in view of Hyde. Applicants respectfully traverse these rejections in view of the following remarks.

The present invention is directed to a process for monitoring the consumption of a plurality of franking machines (for example, a set of machines of a company or an administration) through a public communication network. Some of these franking machine (at least one) are not connected to this network. According to independent claim 1, at least one of the franking machines is *off-line and not connected to the public communications network* and the supervision terminal is *independent of the off-line franking machine*. And according to independent claim 12, the supervision terminal is *independent of the plurality of franking machines*.

This fundamental feature is important because a company (especially a larger company) manages different types of franking machines including (1) modem electronic franking machines with remote functions, and (2) traditional electromechanical franking machines which *are not* connectable to a remote data-processing server through the public communication network. In a company using both types of franking machines, it is conventionally impossible to monitor the state of the indexes of all the machines at a given instant. The present invention overcomes this shortcoming by associating the traditional franking machines 30, 32 (Fig. 1) with a supervision terminal 60 that is connected to the public network 40. After inputting an identifier, the user can access to the indexes of all of the franking machines; the electronic ones, as well as the traditional ones. Naturally, only the indexes of the traditional franking machines can be modified (but not those of the electronic franking machines).

The Examiner cites Wang as particularly pertinent to the present invention. But Wang does not relate to franking machines. Consequently, Wang does not teach or suggest a process for monitoring and controlling indices of franking machines. The Examiner's assertions to the contrary are simply incorrect.

In any event, Applicants point out the following shortcomings of Wang. In so doing, Applicant compare Wang's billings collectors to the electronic franking machines 10, Wang's ATM switches to the modem 12, Wang's ATM network to the public network 40, Wang's billing center to the server 50 of the Postal Service, and Wang's network manager to the supervision terminal 60. Apparently, the Examiner presumes that Wang's configuration is similar to that of the invention. Importantly, however, each device (as well as the data circulating therebetween) is fundamentally different. For example, the data exchange between Wang's Network Manager and Billing Center does not include a current invoice index indicative

of an off-line franking machine (claim 1), a code of authorization for subsequent frankings of an off-line franking machine (claim 1), or a last index indicative of frankings performed (claim 12).

Furthermore, Applicants respectfully point out that the claims are not directed to a physical configuration. Instead, they are directed to a process for monitoring consumption in franking machines. Simply put, Wang is not at all relevant to the present invention.

The Examiner further cites Hyde as an example of off-line connection. In so doing, the Examiner asserts that the administration module 13 makes an off-line connection with the customer service module 15. But, Figure 1 indicates just the opposite. Namely, in Fig. 1, the administration modules 13 are connected to the customer service module 15 through a digital network 17. Typically, such an arrangement accomplishes an on-line connection. At least in this respect, Hyde is not at all relevant to the invention defined by claims 1 and 12.

Furthermore, Applicants respectfully point out that Wang and Hyde are not from the same field of endeavor. For example, in Wang, ATM stands for "asynchronous transfer mode." But in Hyde, ATM stands for "automatic teller machines". These two features are practically and conceptually different. Consequently, those skilled in the art would find it impossible to combine these two references in the manner suggested by the Examiner. And even if combined, it would be necessary to make modifications that are not taught or suggested in the prior art.

The Examiner also cites Abumehdi, which corresponds to EP 208 231 discussed in the Background section of the present application. Abumehdi only relates to electronic franking machines. That is, all of the franking machines 10 are connected to the server 13. It does not, however, disclose off-line machines. Accordingly, in Abumehdi the supervision terminal is not necessary. Accordingly, those skilled in the art would not have any reason to incorporate such an element.

Consequently, the cited references (taken alone, or in combination) are not at all relevant to the present invention.

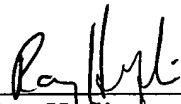
For these reasons, Applicants respectfully assert that claims 1 and 12 are patentable, and that claims 2-11 are patentable at least by virtue of their dependency.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

SUGHRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860



Ray Heflin
Registration No. 41,060

Date: August 1, 2000

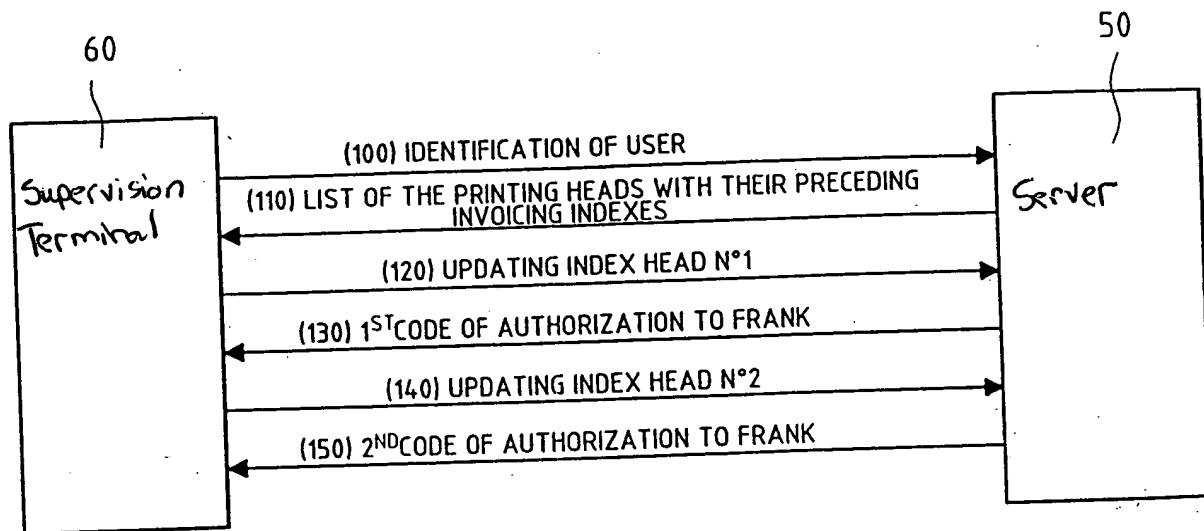


FIG.2

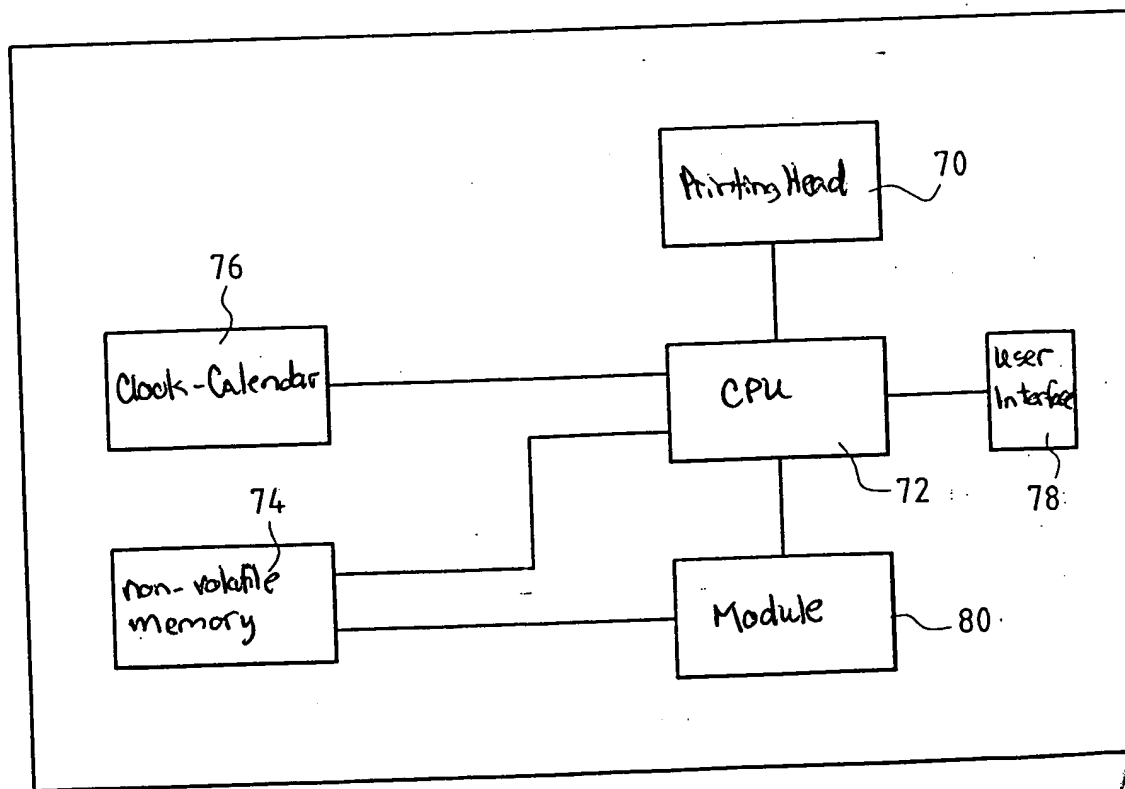


FIG.3

network of FIG. 1

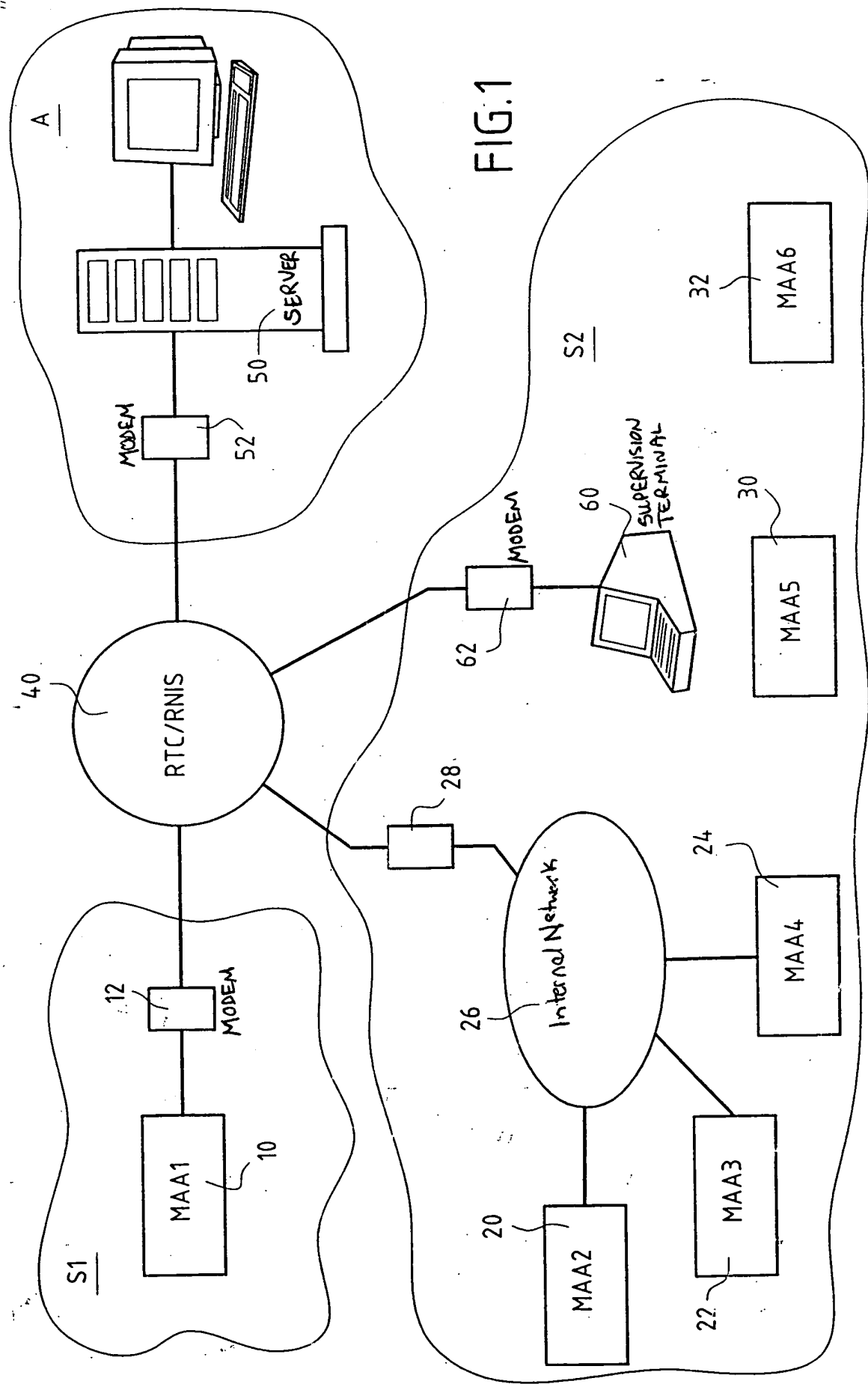


FIG. 1